

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: DAKOTA ACCESS, LLC	DOCKET NO. HLP-2014-0001
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ORDER REGARDING POTENTIAL CORPORATE REORGANIZATION

(Issued December 5, 2016)

In the “Final Decision and Order” issued in this docket on March 10, 2016, the Utilities Board (Board) required that Dakota Access, LLC (Dakota Access), file certain parent company financial guarantees as a condition of issuance of a permit pursuant to Iowa Code chapter 479B. Subsequently, on August 4, 2016, Dakota Access filed a letter providing the Board with notice of the sale of a minority interest in the Dakota Access Pipeline project, explaining that while Dakota Access believed that no such notice was required, it was notifying the Board of the sale “in an abundance of caution.” The letter briefly explained the basis for Dakota Access’s position and served to inform the Board, and the public, of the proposed transaction and the lack of any potential effect on the permit issued in this docket and the corporate guarantees filed in this docket.

Recently, the media has reported that Sunoco Logistics Partners LP intends to buy Energy Transfer Partners LP. Both entities own shares in Dakota Access. The Board has also been contacted by members of the public asking about the possible effect of this transaction on the financial responsibility conditions of the permit. While

the media reports appear to be informative, the Board believes it would serve the public interest for Dakota Access to once again make a filing in this docket that explains the transaction correctly and sets out any position Dakota Access may have with respect to any potential effect of the transaction on the permit issued in this docket. It will, for instance, permit the Board and the public to independently assess whether the transaction will have any potential effect on the parent company financial guarantees filed by Dakota Access on March 17, 2016. Accordingly, the Board will direct Dakota Access to make such a filing.

IT IS THEREFORE ORDERED:

On or before December 15, 2016, Dakota Access, LLC, shall file a statement describing the announced transaction involving Sunoco Logistics LP and Energy Transfer Partners LP and stating any position Dakota Access, LLC, may have with respect to any potential effect of the transaction on the permit issued in this docket.

UTILITIES BOARD

/s/ Geri D. Huser

/s/ Elizabeth S. Jacobs

ATTEST:

/s/ Trisha M. Quijano
Executive Secretary, Designee

/s/ Nick Wagner

Dated at Des Moines, Iowa, this 5th day of December 2016.